

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 25-044

Judge:

Complainant:

ORDER

April 18, 2025

The Complainant alleged a pro tem justice of the peace failed to provide her with appropriate medical treatment.

The role of the Commission on Judicial Conduct is to impartially determine whether a judicial officer has engaged in conduct that violates the Arizona Code of Judicial Conduct or Article 6.1 of the Arizona Constitution. There must be clear and convincing evidence of such a violation in order for the Commission to take disciplinary action against a judicial officer.

The allegations of the complaint in this matter solely raised disagreements with legal rulings. The Commission does not have jurisdiction to overturn, amend, or remand a judicial officer's legal rulings. "A good faith error of fact or law does not violate this rule. However, a pattern of legal error or an intentional disregard of the law may constitute misconduct." See comment 3 to Rule 2.2 of the Code of Judicial conduct. Any violation of the Code of Judicial Conduct must be proven by clear and convincing evidence.

A mistake in a ruling does not automatically mean that the judicial officer has engaged in judicial misconduct. Judicial officers are required to exercise their discretion in making their decisions. Even if a judicial officer's decision is legally or factually incorrect, the ruling is generally considered to be "legal error" and not "ethical misconduct" that the Commission can address. When a complaint to the Commission solely relates to the correctness of a judicial officer's legal decisions, the Complainant is seeking the Commission to function in the capacity of an appellate court. Correcting legal errors is the role of the appellate courts, not the Commission.

The Commission is a regulatory body with limited jurisdiction. The Commission is not a court, and as such, it does not have any authority to overturn a judicial officer's rulings, intervene in a case, assign a new judge to hear a case, or award any monetary or other relief. The Commission process cannot be a substitute for seeking appellate review.

The Commission reviewed all information submitted by the Complainant and concluded there was not clear and convincing evidence of ethical misconduct in this matter. The complaint is therefore dismissed pursuant to Commission Rules 16(a) and 23(a).

A Duty Panel comprised of Commission members Denise K. Aguilar, Colleen E. Concannon, and Joseph C. Kreamer considered this matter.

Copies of this order were distributed to all appropriate persons on April 18, 2025.

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Arizona Commission on Judicial Conduct
1501 W. Washington Street, Suite 229
Phoenix, Arizona 85007

FOR OFFICE USE ONLY

COMPLAINT AGAINST A JUDGE

Name: Judge's Name:

Instructions: Use this form or plain paper of the same size to file a complaint. Describe in your own words what you believe the judge did that constitutes judicial misconduct. Be specific and list all of the names, dates, times, and places that will help the commission understand your concerns. Additional pages may be attached along with copies (not originals) of relevant court documents. Please complete one side of the paper only, and keep a copy of the complaint for your records.

I was in a bad car accident
-
no @mt came to accident
when I was hurt -
knows it was a car
accident and I was hurt
the other driver /
was seen by police intoxicated
driving away -
could have killed me
w/ head injury no medical
one should be held
responsible for neglect

Code Blue

~~need BMT~~

Felony neg test

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A case example of an EMT failing to arrive at a car accident could involve a situation where an ambulance crew is dispatched to a reported serious motor vehicle collision, but due to a navigation error, traffic congestion, or a misunderstanding of the location, they fail to reach the scene within a reasonable time frame, resulting in delayed medical care for injured individuals at the accident site, potentially worsening their condition.

Key elements of such a case could include:

Severe accident:

A high-impact car crash with multiple injured occupants requiring immediate medical attention.

Dispatch error:

The EMS dispatcher may have incorrectly relayed the accident location or severity of injuries, leading to a delayed response.

Navigation issues:

The ambulance crew might have taken a wrong turn due to faulty GPS or unfamiliarity with the area, causing significant time delays.

Traffic congestion:

Heavy traffic in the area could have significantly slowed down the ambulance's arrival time.

Lack of communication:

Failure to properly update the dispatcher regarding delays or issues on the way to the scene, leading to further delays in getting backup assistance.

Potential consequences of such a situation:

- **Aggravated injuries:** If critical medical care is not provided promptly, the injured individuals could suffer more severe complications due to the delay.
- **Patient death:** In extreme cases, a delay in medical attention could lead to a fatality.

- **Legal repercussions:** The patient or their family might file a medical malpractice lawsuit against the EMS agency, alleging negligence due to the failure to arrive at the scene in a timely manner.


Important factors to consider:



- **Staffing issues:** Shortage of available ambulances or personnel could have impacted response time.

Generative AI is experimental.



 Texas Medical Liability Trust
<https://hub.tmlt.org> > case-studies > failure-to-admit-pat... ⋮


Case study: Failure to admit patient following MVA | TMLT

The patient **did not** experience loss of consciousness, hypotension, or respiratory distress at the scene of the **accident** or during transport to the ED. Physician ...

People also ask ⋮

Do EMTs respond to car accidents?


Feedback

 National Institutes of Health (NIH) (.gov)
<https://pmc.ncbi.nlm.nih.gov> > articles > PMC6549202 ⋮

A 24-year-old Female Traumatic Patient Following a Car ...

by A Akhgar · 2018 — A healthy 24-year-old female presented at the emergency department (ED) after a **car accident** with ambulance while injured severely after the bus got run over ...

Missing: ~~emt~~ | Show results with: emt

 Reddit · r/NewToEMS
 40+ comments · 2 years ago ⋮

Not an EMT, but I need to know if I did the right thing at this ...

She tried to get out the **vehicle** but I told her the best thing for her to **do was** stay still until **EMS arrives**.
 By now another person **had** pulled ...

Public Access to Court Information - Case Search

Case Information

Case Number:		Category:	None
Title:	STATE OF ARIZONA vs	Filing Date:	
Court:	Municipal	Disposition Date:	
Judge:			

Citation	Count	Description	Disp. Date	Disposition	Date of Birth
	DEFENDANT - D1				
		FAIL TO YIELD ON LEFT TURN AT INTERSECTION		PLEA OF GUILTY OR RESPONSIBLE, SENTENCE IMPOSED	

Case Activity

Date	Description	Party
	DISPOSITION UPDATED: 11-PLEA GUILTY/RESP SENT IMPOSED. DATE:	D1
	Fees/Fines Receivable# 353890 generated for amount	D1
	Fees/Fines Receivable# 353891 generated for amount	D1
	Fees/Fines Receivable# 353892 generated for amount	D1
	Receipt# P00063931 generated for the amount of	D1
	TELEPHONE	D1
	EMAIL RECEIVED	D1
	DISPOSITION SET: 11-PLEA GUILTY/RESP SENT IMPOSED. DATE:	D1
	Fees/Fines Receivable# 352457 generated for amount	D1
	Fees/Fines Receivable# 352458 generated for amount :	D1
	Fees/Fines Receivable# 352459 generated for amount	D1
	RECALL FROM OLCP	D1
	ARRAIGNMENT EXTENDED	D1
	ARRAIGNMENT EXTENDED	D1
	CLERICAL CORRECTION SET ASIDE	D1
	CLERICAL CORRECTION SET ASIDE	D1
	DISPOSITION UPDATED: 00-DATA ENTRY ERROR CORRECTION. DATE:	D1
	DISPOSITION UPDATED: 00-DATA ENTRY ERROR CORRECTION. DATE:	D1
	Receivable# 352457 Voided:	D1
	Receivable# 352457 Voided:	D1
	Receivable# 352458 Voided:	D1
	Receivable# 352458 Voided:	D1
	Receivable# 352459 Voided:	D1
	Receivable# 352459 Voided:	D1
	TELEPHONE	D1
	TELEPHONE	D1
	TELEPHONE	D1
	TELEPHONE	D1
	ARRAIGNMENT EXTENDED	D1
	Case Initiated -	D1
	CIVIL ARRAIGNMENT SET	D1
	OLCP Auto Send	D1
	OLCP Auto Send	D1

**THE COMMISSION'S POLICY IS
TO POST ONLY THE FIRST FIVE
PAGES OF ANY DISMISSED
COMPLAINT ON ITS WEBSITE.**

**FOR ACCESS TO THE
REMAINDER OF THE
COMPLAINT IN THIS MATTER,
PLEASE MAKE YOUR REQUEST
IN WRITING TO THE
COMMISSION ON JUDICIAL
CONDUCT AND REFERENCE
THE COMMISSION CASE
NUMBER IN YOUR REQUEST.**